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11 *Attorneys for Plaintiff,*
12 *Thomas McLaughlin*

13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE DISTRICT OF ARIZONA
15

16 Thomas McLaughlin,

17 Plaintiff,

18
19 vs.

20 Bureau of Medical Economics,
21 an Arizona corporation,

22 Defendant.
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COMPLAINT

JURY TRIAL DEMAND

1 NOW COMES THE PLAINTIFF, THOMAS MCLAUGHLIN, BY AND
2 THROUGH COUNSEL, TRINETTE G. KENT, and for his Complaint against the
3 Defendant, pleads as follows:
4

5 **JURISDICTION**

- 6
7 1. This court has jurisdiction under the Fair Debt Collection Practices Act
8 (“FDCPA”), 15 U.S.C. §1692k(d) and 28 U.S.C. §§1331,1337.
9

10 **VENUE**

- 11 1. The transactions and occurrences which give rise to this action occurred in the
12 City of Scottsdale, Maricopa County, Arizona.
13
14 2. Venue is proper in the District of Arizona, Phoenix Division.
15

16 **PARTIES**

- 17 3. The Defendant to this lawsuit is Bureau of Medical Economics, which is an
18 Arizona company that maintains its registered agent in the City of Phoenix, in
19 Maricopa County, Arizona.
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21 **GENERAL ALLEGATIONS**

- 22
23 4. Defendant is attempting to collect a consumer type debt allegedly owed by
24 Plaintiff regarding a doctor’s bill in the amount of \$80.00 with account number
25 5156646 (“The Debt”).
26
27
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1 5. On or about November 9, 2015, Mr. McLaughlin obtained his credit files and
2 noticed that Defendant reported the alleged Debt.

3
4 6. On or about December 3, 2015, Mr. McLaughlin submitted a letter to
5 Defendant, disputing the alleged Debt.

6
7 7. On or about February 16, 2016, Mr. McLaughlin obtained his Experian and
8 Equifax credit files and noticed that Defendant failed to flag the Debt as
9 disputed, in violation of the FDCPA.

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11 **COUNT I-VIOLATION OF**
12 **THE FAIR DEBT COLLECTION PRACTICES ACT**

13 8. Plaintiff reincorporates the preceding allegations by reference.

14
15 9. At all relevant times, Defendant, in the ordinary course of its business, regularly
16 engaged in the practice of collecting debts on behalf of other individuals or
17 entities.

18
19 10. Plaintiff is a "consumer" for purposes of the FDCPA, and the account at issue in
20 this case is a consumer debt.

21
22 11. Defendant is a "debt collector" under the Fair Debt Collection Practices Act
23 ("FDCPA"), 15 U.S.C. §1692a(6).

24
25 12. Defendant's foregoing acts in attempting to collect this alleged debt violated the
26 following provisions of the FDCPA:

- 1 a. 15 U.S.C. §1692e(8) by communicating or threatening to communicate to
2 any person credit information which is known or which should be known
3 to be false, including the failure to communicate that a dispute debt is
4 disputed. Defendant did this when it failed to flag the Debt as disputed
5 on Mr. McLaughlin's Experian and Equifax credit files.
6
7

8 13. The Plaintiff has suffered economic, emotional, general, and statutory damages
9 as a result of these violations of the FDCPA.
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11
12 **WHEREFORE, PLAINTIFF PRAYS** that this court grant him a judgment
13 against Defendant for actual damages, costs, interest, and attorneys' fees.
14

15 **DEMAND FOR JUDGMENT RELIEF**

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17 Accordingly, Plaintiff requests that the Court grant him the following relief against
18 the Defendant:

- 19 a. Actual damages;
20
21 b. Statutory damages; and
22
23 c. Statutory costs and attorneys' fees.
24

25 **JURY DEMAND**

26 Plaintiffs hereby demand a trial by Jury.
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1 DATED: March 10, 2016

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3 By: /s/ Trinette G. Kent
4 Trinette G. Kent
5 Attorneys for Plaintiff
6 Thomas McLaughlin
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